

# Seattle Regulations

— part of a multi-departmental series on City services, permits and regulations

## Seattle Nightlife Noise Ordinance

March 2, 2018

In 2010, the City of Seattle launched the Seattle Nightlife Initiative, which resulted in the Nightlife Disturbance Ordinance (Seattle Municipal Code Chapter 25.08.501). The director of the Seattle Department of Construction and Inspections authorizes the Seattle Police Department and the Department of Finance and Administrative Services to enforce SMC Chapter 25.08.501, interpreted by SDCI's Director's Rule 12-2011.

### Nightlife disturbance rules

- The sound ordinance is in effect from 10 p.m. to 7 a.m.
- During a noise reading, doors and windows inside the occupied dwelling must be closed.
- The sound level meters used to take a noise reading must be type 2.
- Sound readings must be measured from inside the receiving dwelling unit for enforcement staff to issue a written warning and/or citation. Sound readings taken from outside a dwelling unit may be used by enforcement staff to issue a verbal warning.
- Outside a dwelling unit, allowable sound readings are 80 dB (C).
- Taken from inside an occupied dwelling unit, allowable sound measurements are up to 65 dB (C).
- If our investigation determines a violation has occurred, we will issue a warning to the business. The warning places the business under probation for one year.
- If a violation occurs while the business is under probation, we will issue a first citation of \$1,000.

- After the first citation is issued, we will issue a \$2,000 citation for each subsequent violation while the business is under probation.

### Process for noise complaints

1. Someone contacts the Customer Service Bureau, Seattle Police Department or FAS' Regulatory Compliance and Consumer Protection division with a complaint about a business' sound levels.
2. We will take a sound level reading from inside the complainant's residence, with doors and windows shut.
3. If we find a business to be in violation of allowable sound levels, we will issue warnings and/or citations, in accordance with the nightlife disturbance rules.
4. If a business receives a citation, it may appeal the citation to the hearing examiner's office. The appeal process can be found on the citation.

We do not enforce Seattle Municipal Code sections that cover loud noises from horns, sirens, motor vehicles, musical instruments, human voices, car stereos or official special events. For questions related to these noises, contact the Seattle Police Department non-emergency line at 206-625-5011.

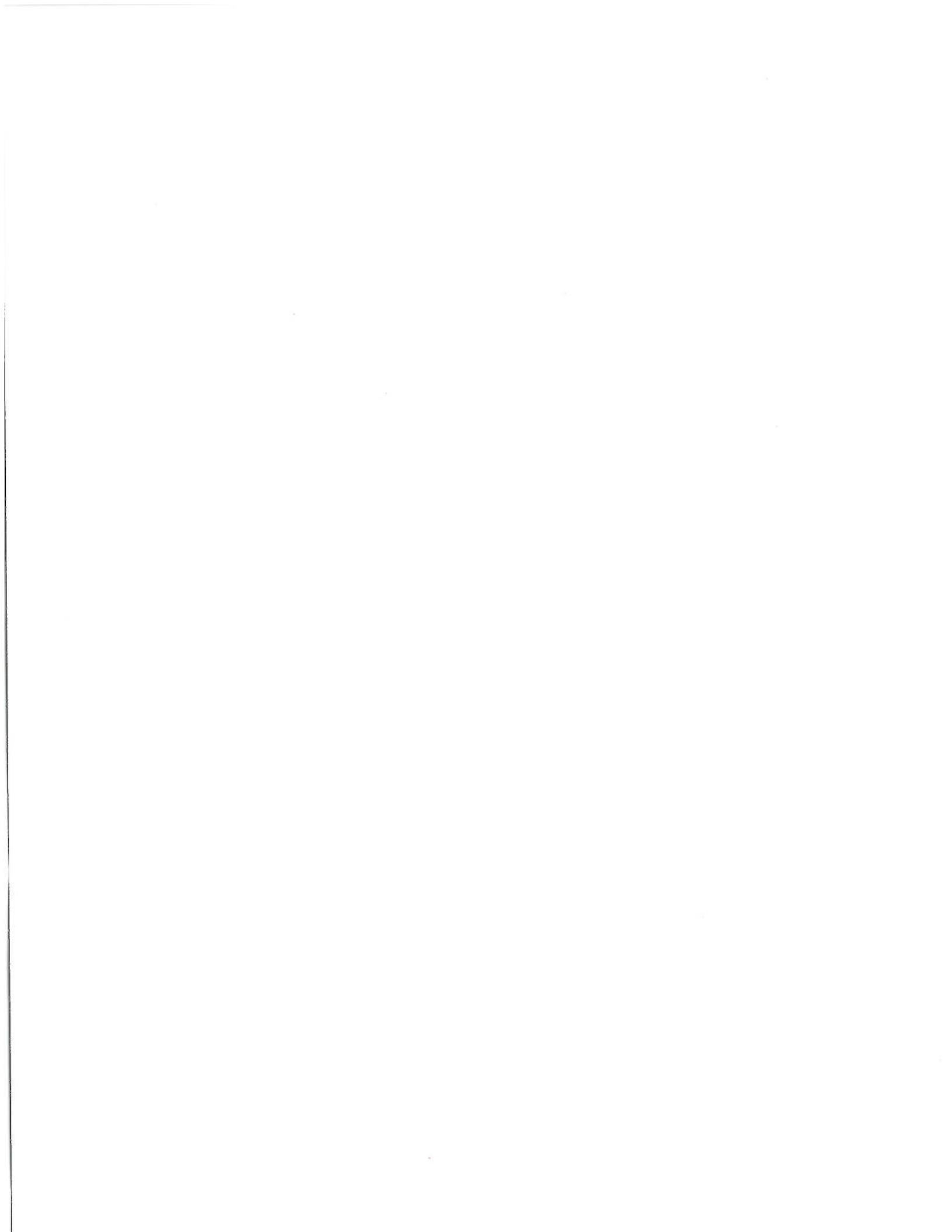
For questions about barking dogs and other animal noise, call the Seattle Animal Shelter at 206-386-7387.

For questions about noises from construction, mechanical equipment or a commercial facility in the Seattle city limits, contact the Seattle Department of Construction and Inspections at 206-615-1394.

### Questions?

If you have questions about FAS' enforcement of the nightlife noise ordinance, call the Regulatory Compliance and Consumer Protection division at 206-684-8408.





**DPD****Director's Rule 12-2011**

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| <b>Applicant:</b><br><br>City of Seattle<br>Department of Planning &<br>Development | <b>Page</b><br><br>1 of 3                                                        | <b>Supersedes:</b><br><br>N/A      |
|                                                                                     | <b>Publication:</b><br><br>2/25/2011                                             | <b>Effective:</b><br><br>4/11/2011 |
| <b>Subject:</b><br><br>Nighttime Amplified Sound Rule                               | <b>Code and Section Reference:</b><br><br>SMC 25.08                              |                                    |
|                                                                                     | <b>Type of Rule:</b><br><br>Code Interpretation &<br>Procedural Rule             |                                    |
|                                                                                     | <b>Ordinance Authority:</b><br><br>SMC 3.06.040                                  |                                    |
| <b>Index:</b><br><br>Seattle Noise Control Code                                     | <b>Approved</b><br><br>(Signature on file)<br><b>Diane M. Sugimura, Director</b> | <b>Date</b><br><br>4/11/11         |

**I. BACKGROUND**

The Seattle City Council has directed that the Administrator promulgate rules establishing standards for amplified noise that are plainly audible to a person of normal hearing, pursuant to Seattle Municipal Code Chapter 25.08.

**II. DEFINITIONS**

For purposes of these rules, the following definitions supplement the definitions found in SMC 25.08:

- A. "dB(C)" means the sound level measured in decibels using the C weighting scale.

- B. "Measured inside a dwelling unit" means a sound measurement taken by a sound level meter within the interior of a receiving dwelling unit with all doors and windows closed.
- C. "Measured outside a dwelling unit" means a sound measurement taken by a sound meter at or near any boundary of the property that includes the receiving dwelling unit.
- D. "Plainly audible to a person of normal hearing" means amplified sound that exceeds the standards contained in this rule.

### **III. STANDARDS**

The following levels of amplified noise, when measured by a sound level meter operated by enforcement staff formally trained in proper measurement techniques, will be considered plainly audible to a person of normal hearing:

- A. Measured inside a dwelling unit: 65 dB(C), and more than 1 decibel over ambient noise levels.
- B. Measured outside a dwelling unit: 80 dB(C), and more than 1 decibel over ambient noise levels.

### **IV. SOUND MEASUREMENT**

- A. Sound measurement shall be taken by enforcement staff who are formally trained through a training program approved by the Administrator in the proper techniques using a type 2 sound level meter that has been field calibrated before and after the measurement and professionally calibrated within the preceding 12 months.
- B. To identify which establishment or establishments may be in violation, enforcement staff shall take measurements near the establishment, in addition to measurements inside or outside the receiving dwelling unit.
- C. Sound readings shall be measured inside the receiving dwelling unit, unless the enforcement staff is denied entry, or elects not to enter the dwelling unit for safety reasons. Sound readings measured outside a dwelling unit may be used for purposes of issuing a warning, but such warning shall not count as a written warning pursuant to SMC 25.08.890, and shall not be the basis for issuance of a citation pursuant to SMC 25.08.900.

### **V. ISSUANCE OF VIOLATIONS**

Violations shall only be issued in response to public complaints.

## **VI. VOLUNTARY MITIGATION AND WAIVER OF INITIAL PENALTY**

For purposes of SMC 25.08.915, the Administrator may consider improvements or modifications made to property that includes the receiving dwelling unit(s), in addition to or in combination with improvements or modifications to the respondent's establishment, if the owner of the property consents and the Administrator determines the improvements or modifications are reasonably likely to prevent future violations.

## **VII. ENFORCEMENT DELEGATION**

The Director of the Department of Planning and Development authorizes the Seattle Police Department and the Department of Finance and Administrative Services to enforce SMC Chapter 25.08.501 and 915.

